



Town of Merrimack, New Hampshire

Community Development Department

603 424-3531

6 Baboosic Lake Road

Fax 603 424-1408

Town Hall - Lower level - East Wing

www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT

WEDNESDAY, JUNE 29, 2016

Members present: Fran L'Heureux, Patrick Dwyer, Richard Conescu, and Alternates Leonard Worster and Tom Mahon.

Members absent: Tony Pellegrino and Lynn Christensen.

Staff present: Community Development Director Tim Thompson and Recording Secretary Zina Jordan.

1. Call to Order.

Fran L'Heureux called the meeting to order at 7:00 p.m. and designated Leonard Worster and Tom Mahon to sit for Tony Pellegrino and Lynn Christensen, respectively.

2. Roll Call.

Tom Mahon led the pledge of allegiance. Richard Conescu read the preamble. Fran L'Heureux swore in members of the public who would be testifying.

- 3. Richard Elliot (petitioner) and Michael and Rae Ann Dopson (owner)** - Variance under Section 2.02.1(B)(2)(f) of the Zoning Ordinance to permit a second driveway for a proposed Accessory Dwelling Unit (ADU). The parcel is located at 4 Sunnydale Drive in the R (Residential) and Aquifer Conservation Districts. Tax Map 5D-3, Lot 099. Case # 2016-26.

Applicant was represented by: Richard Elliott, 3 Amalia Drive, Nashua.

Public comment was received by letter from: Sandra Mote, 2 Sunnydale Drive.

The Board voted 5-0-0 to grant the Variance, with one condition, on a motion made by Richard Conescu and seconded by Patrick Dwyer.

- 4. Richard Elliot (petitioner) and Michael and Rae Ann Dopson (owner)** - Special Exception under Section 2.02.1(B)(2) of the Zoning Ordinance to permit an Accessory Dwelling Unit (ADU). The parcel is located at 4 Sunnydale Drive in the R (Residential) and Aquifer Conservation Districts. Tax Map 5D-3, Lot 099. Case # 2016-22. This agenda item is continued from the May 25, 2016 meeting.

Applicant was represented by: Richard Elliott, 3 Amalia Drive, Nashua.

There was no public comment.

The Board voted 5-0-0 to grant the Special Exception, with conditions, on a motion made by Richard Conescu and seconded by Tom Mahon.

- 5. Kim Mattucci for Kid's Creative Cove Learning Center, LLC. (petitioner) and Windsup Properties I, LLC. (owner)** - Variance under Section 2.02.03 of the Zoning Ordinance to permit a childcare center in the C-2 District. The parcel is located at 22 Greely Street in the C-2 (General) Commercial and Aquifer Conservation Districts. Tax Map 4D-4, Lot 060. Case # 2016-24.

Leonard Worster recused himself from discussing and voting on this item.

Applicant was represented by: Kim Mattucci, 10 Twin Bridge Road.

There was no public comment.

The Board voted 4-0-0 to grant the Variance, with one condition, on a motion made by Patrick Dwyer and seconded by Richard Conescu.

- 6. Lawrence & Lorna Fortin (petitioners/owners)** - Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a residential porch within 10 feet of the side property line whereas 15 feet is required and within 15 feet of the front property line whereas 30 feet is required. The parcel is located at 4 Caron Street in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 3D-2, Lot 015. Case # 2016-25.

Leonard Worster returned to the Board.

Applicant was represented by: Lorna & Lawrence Fortin, 4 Caron Street.

There was no public comment.

The Board voted 5-0-0 to grant the Variance, on a motion made by Patrick Dwyer and seconded by Tom Mahon.

- 7. Gregory E. Michael of Bernstein, Shur, Sawyer & Nelson, P.A. (petitioner) and Patricia J. Schippiani, LLC.** - Variance under Section 2.02.4(B) of the Zoning Ordinance to permit a personal service use (existing holistic therapy center) in the I-1 (Industrial) District. The parcel is located at 4 John Tyler in the I-1 (Industrial) District. Tax Map 2D, Lot 041-10-5. Case # 2016-27.

Applicant was represented by: Attorney Michael Klass, Bernstein Shur.

There was no public comment.

The Board voted 5-0-0 to grant the Variance, with one condition, on a motion made by Tom Mahon and seconded by Richard Conescu.

- 8. Discussion/possible action regarding other items of concern.**

Discussion only.

- 9. Approval of Minutes - May 25, 2016.**

The minutes of May 25, 2016, were approved as submitted, by a vote of 3-0-2, on a motion made by Richard Conescu and seconded by Leonard Worster. Patrick Dwyer and Tom Mahon abstained.

- 10. Adjourn.**

The meeting adjourned at 8:20 p.m., by a vote of 5-0-0, on a motion made by Patrick Dwyer and seconded by Tom Mahon.